

Case Name: Trs. Plumbers Local Union No. 1 Welfare Fund et al. v. Spray In Place Soutlions LLC, et al. Case Number: 24 CV - 2568 ( KAM ) (PK)

## PROPOSED DISCOVERY PLAN/SCHEDULING ORDER

	DONE	NOT APPLICABLE	DATE
<b>A. ACTIONS REQUIRED <i>BEFORE</i> THE INITIAL CONFERENCE</b>			
1. Rule 26(f) Conference held	X		July 12, 2024
2. Rule 26(a)(1) disclosures exchanged			August 1, 2024
3. Requested:			
a. Medical records authorization		X	
b. Section 160.50 releases for arrest records		X	
c. Identification of John Doe/Jane Doe defendants		X	
4. Procedures for producing Electronically Stored Information (ESI) discussed	X		July 12, 2024
5. Confidentiality Order to be submitted for court approval (see Standing Confidentiality Order on the Chambers website)		X	
<b>B. SETTLEMENT PLAN</b>			
1. Plaintiff to make settlement demand			November 1, 2024
2. Defendant to make settlement offer			November 14, 2024
3. Referral to EDNY mediation program pursuant to Local Rule 83.8? (If yes, enter date for mediation to be completed)		X	<small>Defendant is amenable to mediation following an unsuccessful settlement conference. Plaintiffs are hesitant to agree to mediation as the gap in positions is currently unknown. Plaintiffs reserve their rights to evaluate whether mediation is prudent after a settlement conference.</small>
4. Settlement Conference (proposed date)			December 10, 2024
<b>C. PROPOSED DEADLINES</b>			
1. Motion to join new parties or amend pleadings			October 1, 2024
2. Initial documents requests and interrogatories			August 23, 2024
3. All fact discovery to be completed (including disclosure of medical records)			February 28, 2025
4. Joint status report certifying close of fact discovery and indicating whether expert discovery is needed			March 11, 2025

5. Expert discovery (only if needed)		<i>Check here if not applicable</i> <input checked="" type="checkbox"/>	
Plaintiff expert proposed field(s) of expertise:			
Defendant expert proposed field(s) of expertise:			
	<b>DONE</b>	<b>NOT APPLICABLE</b>	<b>DATE</b>
a. Affirmative expert reports due		X	
b. Rebuttal expert reports due		X	
c. Depositions of experts to be completed		X	
6. Completion of ALL DISCOVERY (if different from C.3)			February 28, 2025
7. Joint status report certifying close of ALL DISCOVERY and indicating whether dispositive motion is anticipated			March 11, 2025
8. If any party seeks a <b>dispositive motion</b> , date to (a) file request for pre-motion conference (if required), or (b) file briefing schedule for the motion			April 1, 2025
9. Proposed Joint Pre-Trial Order due (if no dispositive motion filed)			April 18, 2025
<b>D. CONSENT TO MAGISTRATE JUDGE JURISDICTION</b>			
1. All parties consent to Magistrate Judge jurisdiction for dispositive motion?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2. All parties consent to Magistrate Judge jurisdiction for trial?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>E. COLLECTIVE ACTION AND CLASS ACTION MOTIONS ONLY</b>			
1. Motion for collective action certification in FLSA cases		X	
a. Response due		X	
b. Reply due		X	
2. Motion for Rule 23 class certification		X	
a. Response due		X	
b. Reply due		X	

**This Scheduling Order may be altered or amended only upon a showing of good cause based on circumstances not foreseeable as of the date of this order.**

SO ORDERED:

\_\_\_\_\_  
**PEGGY KUO**  
 United States Magistrate Judge

\_\_\_\_\_  
**Date**